

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

<p>Kevin Gill</p> <p>Plaintiff(s),</p> <p>v.</p> <p>Game Changer Wrestling, LLC</p> <p>Defendant(s).</p>	<p>Civil No. 24-cv-10650</p> <p>Judge Karen M. Williams</p>
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JOINT CERTIFICATION¹ OF THE CITIZENSHIP OF THE PARTIES IN DIVERSITY CASES²

PLAINTIFF(S):

Kevin Gill

Individual³
 Corporation⁴
 Partnership⁵
 Limited Liability Company⁶

State(s) of Citizenship
New York*

Individual
 Corporation
 Partnership
 Limited Liability Company

State(s) of Citizenship
[Redacted]

Individual
 Corporation
 Partnership
 Limited Liability Company

State(s) of Citizenship
[Redacted]

In cases where one or more Plaintiffs are partnerships or LLCs, list all partners or members and their citizenship. This space should also be used where there are more than three Plaintiffs.

*As alleged in Complaint.

DEFENDANT(S):

Game Changer
Wrestling, LLC

- Individual
- Corporation
- Partnership
- Limited Liability Company

State(s) of Citizenship

New Jersey

[Redacted]

- Individual
- Corporation
- Partnership
- Limited Liability Company

State(s) of Citizenship

[Redacted]

[Redacted]

- Individual
- Corporation
- Partnership
- Limited Liability Company

State(s) of Citizenship

[Redacted]

In cases where one or more Defendants are partnerships or LLCs, list all partners or members and their citizenship. This space should also be used where there are more than three Defendants.

Brett Hoffman is the sole member of Defendant Game Changer Wrestling, LLC. Mr. Hoffman resides in and is a citizen of New Jersey.

AMOUNT IN CONTROVERSY:

Amount in controversy, exclusive of interests and costs:⁷

Defendants' position is set forth in the attached addendum.

Describe the basis of the calculation of amount in controversy. If the basis of the calculation refers to a "pleading, motion, order or other paper,"⁸ include the ECF citation to the record.

Defendants' position concerning the amount in controversy is detailed in the attached addendum. Plaintiff declined Defendants' request to jointly submit this certification but noted his disagreement with Defendants' position concerning the amount in controversy.

Pursuant to 28 U.S.C. § 1746 and Fed. R. Civ. P. 11, I certify that the foregoing is true and correct.

Date

Appearing on behalf of Plaintiff(s)

R. Zachary Gelber, Esq.

Date March 10, 2025

Appearing on behalf of Defendant(s)

This form may be replicated as necessary. Additional sheets may be added.

¹ As of March 14, 2022, the Court has updated its preferences to require that this Joint Certification be executed by the parties and filed in diversity cases within 30 days of the filing of a Notice of Removal, or where the Complaint is initially filed in this Court, 30 days after an answer, other responsive pleading, or motion has been filed.

² Parties may not consent to jurisdiction, and federal courts have an independent obligation to address issues of subject matter jurisdiction *sua sponte* and may do so at any stage of the litigation. *Zambelli Fireworks MFG. Co. v. Wood*, 592 F.3d 412, 418 (3d Cir. 2010); *Lincoln Ben. Life Co. v. AEI Life, LLC*, 800 F.3d 99, 104 (3d Cir. 2015) (“The principal federal statute governing diversity jurisdiction, 28 U.S.C. § 1332, gives federal district courts original jurisdiction of all civil actions ‘between . . . citizens of different States’ where the amount in controversy exceeds \$75,000. For over two hundred years, the statute has been understood as requiring complete diversity between all plaintiffs and all defendants, even though only minimal diversity is constitutionally required.” (citation omitted)); *Wisconsin Dep’t of Corr. v. Schacht*, 524 U.S. 381, 382 (1998) (“The presence of the nondiverse party automatically destroys original jurisdiction: No party need assert the defect. No party can waive the defect or consent to jurisdiction. No court can ignore the defect; rather a court, noticing the defect, must raise the matter on its own.” (citation omitted)).

³ 28 U.S.C. § 1332(a)(1); *McNair v. Synapse Grp. Inc.*, 672 F.3d 213, 219 n.4 (3d Cir. 2012) (citing *Krasnov v. Dinan*, 465 F.2d 1298, 1300 (3d Cir. 1972) (“[M]ere residency in a state is insufficient for purposes of diversity [of citizenship].”)).

⁴ 28 U.S.C. § 1332(c)(1) (“[A] corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business . . .”); *S. Freedman & Co., Inc. v. Raab*, 180 F. App’x 316, 320 (3d Cir. 2006) (explaining that “[i]n order to adequately establish diversity jurisdiction, a complaint must set forth with specificity a corporate party’s state of incorporation and its principal place of business,” and affirming dismissal of complaint alleging that corporation maintained “a principal place of business,” rather than “its principal place of business” (quoting *Joiner v. Diamond M Drilling Co.*, 677 F.2d 1035, 1039 (5th Cir. 1982))). The parties are directed to list the state of incorporation and principal place of business of the corporation.

⁵ A partnership, as an unincorporated entity, takes on the citizenship of each of its partners. *Zambelli Fireworks MFG. Co. v. Wood*, 592 F.3d 412, 419 (3d Cir. 2010) (citation omitted). The parties are directed to list each partner and its citizenship.

⁶ The citizenship of an LLC is determined by the citizenship of each of its members. *Lincoln Ben. Life Co. v. AEI Life, LLC*, 800 F.3d 99, 105 (3d Cir. 2015). The parties are directed to list each member and its citizenship.

⁷ 28 U.S.C.A. § 1332(a) (“The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs . . .”); *Auto-Owners Ins. Co. v. Stevens & Ricci Inc.*, 835 F.3d 388, 395 (3d Cir. 2016) (“[T]he party invoking diversity jurisdiction . . . bears the burden to prove, by a preponderance of the evidence, that the amount in controversy exceeds \$75,000.” (citing *Judon v. Travelers Prop. Cas. Co. of Am.*, 773 F.3d 495, 506–07 (3d Cir. 2014))).

⁸ 28 U.S.C. § 1446(b)(3).